

Edwards &amp; Angell LLP

101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170

RECEIVED  
CENTRAL FAX CENTER

JUL 08 2004

OFFICIAL

## FACSIMILE TRANSMITTAL COVER SHEET

DATE: July 8, 2004

TO: Examiner Mary Lynn F. Theisen

FAX NO.: 703 872-9306

FROM: George W. Neuner, Esq.

TELEPHONE NO. 617 517-5538

RE: Our File No.: 56942 (70301)

USSN 10/069,558

Turck, et al.

Total pages: 14

## MESSAGE:

Please see attached Amendment transmittal and supplemental amendment for the above-identified application.

Should there be any problem with this transmission, please contact Helen Murray Tarbi, assistant to George W. Neuner at (617) 517-5514.

## NOTICE

The message and/or information which accompanies this facsimile cover sheet is intended for the addressee named above only. If you are not the intended recipient, please contact the sender by collect telephone at the number indicated. You will be advised regarding the disposition of what you have received. The misdelivery of the message and/or information which accompanies this facsimile cover sheet is not intended to be and shall not constitute a disclosure of trade secrets, of attorney work product or of an attorney-client communication. No waiver of any privilege is intended. Thank you for your attention to this matter.

BOS2\_450958 1

3.

## EXTENSION OF TERM

**NOTE:** "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

**NOTE:** See 37 C.F.R. § 1.645 for extensions of time in Interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

4. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

*(complete (a) or (b), as applicable)*

(a)  Applicant petitions for an extension of time under 37 C.F.R. § 1.136  
(fees: 37 C.F.R. § 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	three months	\$ 950.00	\$ 475.00
<input type="checkbox"/>	four months	\$ 1,480.00	\$ 740.00

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of  
\$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now  
requested.

Extension fee due with this request      \$110.00

OR

(b)  Applicant believes that no extension of term is required. However, this conditional  
petition is being made to provide for the possibility that applicant has inadvertently  
overlooked the need for a petition for extension of time.

(Amendment Transmittal- page 2 of 4)

## FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

[Col. 1]	[Col. 2]	[Col. 3] Small Entity	Other Than a Small Entity
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate
Total 30	Minus 25	= 5	x \$ 9 = \$0.00
Indep. 5	Minus 5	=	x \$43 = \$0.00
[ ] First Presentation of Multiple Dependent Claim		+\$145 =	+\$290 =
		Total Addit. Fee: \$	Total Addit. Fee \$ 90.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** *"After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).*

(complete (c) or (d), as applicable)

(c) [ ] No additional fee for claims is required.

OR

(d) [X] Total additional fee for claims required \$ 90.00

## FEE PAYMENT

6. [ ] Attached is a check in the sum of \$  
 [X] Charge Account No. 04-1105 the sum of \$ 200.00

(Amendment Transmittal—page 3 of 4)

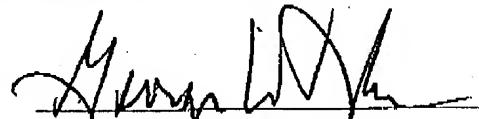
**FEE DEFICIENCY**

**NOTE:** *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

7.  If any additional extension and/or fee is required, charge Account No. 04-1105.

**AND/OR**

If any additional fee for claims is required, charge Account No. 04-1105.



SIGNATURE OF PRACTITIONER  
George W. Neuner (Reg. 26,964)  
Edwards & Angell, LLP  
PO BOX 55874  
Boston, MA 02205

Tel. No. (617) 439-4444  
Date: July 8, 2004

Customer No. 21,874

BOS2\_450951.1

(Amendment Transmittal X page 4 of 5)